

**YADKIN COUNTY BOARD OF COMMISSIONERS**  
**REGULAR MINUTES**  
**January 7, 2008**

The Yadkin County Board of Commissioners met in Regular Session on Monday, January 7, 2008 at 9:00am in the Yadkin County Human Services Building (Commissioner's Meeting Room), 217 E. Willow Street, Yadkinville, North Carolina.

**Present Were:**

Chair Kim Clark Phillips  
Vice Chair Joel Cornelius  
Commissioner Tommy Garner  
Commissioner Chad Wagoner  
Commissioner Brady Wooten

**Staff Present:** County Manager, Eric Williams; County Attorney, Jim Graham; and Clerk to the Board, Gina Brown.

**CALL TO ORDER** by Chair Phillips at 9:03am

**INVOCATION** by Attorney Jim Graham

**PLEDGE OF ALLEGIANCE** led by Chair Phillips

**ADJUSTMENTS TO/ADOPTION OF THE AGENDA**

County Manager, Eric Williams, requested the scheduling of a Public Utilities Committee Meeting under Calendar Notes.

**Commissioner Wagoner made a motion to approve the agenda with noted addition. Vice Chair Cornelius second.**

**Vote: 5/0**

## **PUBLIC COMMENTS**

Mr. Jim Austin, representing 4 of the 5 owners of The Austin Company, spoke regarding the Hoots/Butler Road proposed jail site. Mr. Austin thanked the Board for the opportunity to speak. Mr. Austin stated that the company's position transcends the argument of "not in my back yard". Mr. Austin commented that the impact of a jail on the manufacturing facility is not known, but believes there are other viable options for a jail. Mr. Austin further remarked that their facility is a 24-hour operation with plans to expand in the near future. A complete move or expansion to another location would certainly be costly for the company. Mr. Austin stated that he was not issuing an ultimatum, but felt that The Austin Company would have to consider all possible options in the best interest of their company and its employees. Mr. Austin asked the Board to continue to evaluate the situation and offered full support in securing an alternate jail location.

There were no other speakers for Public Comment. The Public Comment portion of the meeting closed at 9:10am.

## **APPROVAL OF MINUTES**

Commissioner Wagoner requested the following adjustment:

Pg. 10 – The AOA Signs building of Jerome and Joy Kay should be 8,000sf

Chair Phillips requested the following adjustment:

Pg. 6 – Correct spelling of "Darden"

Commissioner Wagoner had these additional comments/adjustments:

Commissioner Wagoner consulted Attorney Graham on the matter of information that was shared during the December 17, 2007 Closed Session that should be made available to the public. Attorney Graham advised that Commissioner Wagoner could share that information at this time and request that it be added to the Closed Session Minutes.

Commissioner Wagoner stated that the potential purchase of land in the downtown area is now public knowledge. There had been many comments concerning the lack of cost studies related to the Hoots Road jail site. Commissioner Wagoner had completed his own preliminary cost study on gasoline consumption to share with the public. Following are those figures...

#### First Jail Study on Gasoline Consumption – Hoots Road Jail Site

- Assuming that \$600,000 was the original set-aside for the purchase of land
- Assuming that fuel is \$3.15 per gallon
- Assuming that sheriff department cruisers get 20 miles per gallon
- Assuming round trip from Hoots Road to the Courthouse is 10 miles:  
2 round trips per day for 1 gallon of fuel

Sheriff Department Cruisers would have to make 103 round trips per day for the next 10 years to equal the \$600,000 saved by not purchasing land.

Commissioner Wagoner added that he reads the Yadkin View website for entertainment purposes. Commissioner Wagoner compared the Yadkin View to WWF Wrestling with very little reality. However, Commissioner Wagoner was surprised that there was not more of a contingency supporting the savings potential to the county by not having to purchase additional land.

Commissioner Wooten commented that a prior report from Moseley Architects, based on recommendations by Sheriff's Department personnel, suggested that staff would have to be doubled and at least 2 new vehicles would be required if the jail moved to Hoots Road. Chair Phillips asked Commissioner Wooten to hold his comments in that regard for a later portion of the agenda. Commissioner Wagoner produced this information at this time as an adjustment to the December 17, 2007 Closed Session Minutes.

Commissioner Wooten expressed his objection to adding this information to those minutes stating that this data was not discussed. Commissioner Wagoner and Chair Phillips both agreed that it was indeed discussed.

**Vice Chair Cornelius made a motion to approve minutes for December 17, 2007 Regular Meeting; December 17, 2007 Closed Session; and December 21, 2007 Special Meeting with noted adjustments.** Commissioner Wooten added that Closed Minutes should be a summary only and that he objects to the inclusion of the additional data to the Closed Session Minutes of December 17, 2007.

**Vote: 4/1 (Wooten against)**

#### **PUBLIC HEARING**

There were no items for Public Hearing at today's meeting or requests to set Public Hearings.

## **BOARD REPORTS/REQUESTS**

Dr. Jim Benfield, Yadkin County Schools Superintendent, appeared before the Board for updates on the middle school projects and other school related matters. Dr. Benfield reported the following:

- (1) The waterline to West Yadkin Elementary is now in service.
- (2) The new middle school names were decided at the December 3, 2007 meeting of the Board of Education. Starmount Middle School and Forbush Middle School were selected.
- (3) The contractors for both schools will hold the cost of the alternatives for 6 months.
- (4) Yadkin County Schools currently operates a heating and cooling system for all schools that can be controlled at the Central Office. After consulting with the contractors, this can be achieved in the new middle schools as well.
- (5) Dr. Benfield continues to research flooring options and has discussed this with the contractors.

*Agenda Item XII B. was discussed at this time.*

County Manager Williams reported that New Atlantic Contracting, Inc., contractors for Forbush Middle School, would like to begin site preparation in January. Matthews Construction, contractors for Starmount Middle School, has expressed this interest as well. The Public School Capital Building - ADM/Corporate Tax Fund and the Public School Building Capital Fund - NC Educational Lottery can be reserved for draw-down to cover the expense of the initial site preparation at virtually no risk. The only risk of pay-back is if the schools do not get built. There is an application form required of the Board of Commissioners and the Board of Education.

Dr. Benfield added that there are no additional funds involved and virtually no risk. The cost estimate is \$300,000 and the contractors have agreed to postpone billing until March 25.

In addition, Dr. Benfield and the Board briefly discussed groundbreaking ceremonies for both middle schools. It was determined that later in the afternoon and early in the week would be more appropriate for media coverage and convenient for Board members. Specific date and time to be determined.

**Vice Chair Cornelius made a motion to approve applications for The Public School Capital Building - ADM/Corporate Tax Fund and The Public School Building Capital Fund - NC Educational Lottery in order to begin site preparation for new middle schools. Commissioner Garner second.**

**Vote: 5/0**

Bobby Todd, Economic Development Director, provided the following information and updates:

- (1) There was substantial economic development activity in December.
- (2) There are 2 new potential long-range and nontraditional projects.
- (3) The unemployment rate continues to hover in the low 4% range. Unemployment rates in neighboring counties are beginning to decline also.
- (4) The Leadership Class did not meet in December due to holidays. There are plans for an alumni gathering of class participants as there have now been 7 Leadership Classes completed.
- (5) Staff recently attended a WIRED Grant Workshop and has been working with various partners to come up with innovative ideas for a competitive grant application.
- (6) Staff recently participated in an interview with Biz Life Magazine with a focus on Yadkin County.
- (7) The Chamber Board recently approved the production of a new Yadkin County Road map. A map has not been produced since 2001. Although an expensive process, there have been many changes that should be documented.
- (8) Agrarian Growth Zone application is still pending. Mr. Todd requested assistance in selecting sites for potential projects as they develop.
- (9) Mr. Todd reminded the Board of the upcoming Annual Chamber Meeting on January 22, 2008. He is looking forward to a great speaker and a good turnout.

Vice Chair Cornelius asked Mr. Todd if all recommended appointees to the Tourism Development Authority had accepted the nominations. Mr. Todd responded that he had not yet heard from all, but that all had expressed an interest originally and that most had sent their acceptance.

Commissioner Wagoner thanked Mr. Todd for including the Blood Drive information on upcoming events. Commissioner Wagoner is a frequent donor and encouraged and challenged all to give as well.

County Manager Williams acknowledged that the Agrarian Growth Zone designation had indeed been approved.

Rebecca Troutman, representing the North Carolina Association of County Commissioners, appeared before the Board to deliver information about Medicaid Relief and its impact on Yadkin County. Ms. Troutman provided a packet to all Board members for review. Ms. Troutman first greeted the Board and thanked them for the opportunity to appear. Ms. Troutman distributed a lapel pin to all of the Board celebrating the 100<sup>th</sup> Year of the NCACC.

Ms. Troutman reported that the Association entered the long legislative session with 3 goals; permanent Medicaid relief, additional revenue sources for school construction, and additional revenue authority for counties. Ms. Troutman was pleased to announce that all 3 goals were met.

For discussion today, the principals of Medicaid relief include: permanent relief for counties, counties would not have to raise taxes to offset or receive the relief, every county would benefit \$500,000 in the first year, counties would receive additional revenue authority, and municipalities would be protected.

Ms. Troutman outlined the following benefits for Yadkin County:

- \* 2008-2009 Yadkin County net gain = \$425,655
- \* 2009-2010 Yadkin County net gain = \$250,322
- \* By 2009-2010, Yadkin County will no longer fund Medicaid
- \* In the 5<sup>th</sup> year Yadkin County Medicaid savings = \$3,302,854 with a net gain of \$500,000

Ms. Troutman reported that this legislation gives the counties the option of a 0.4% land transfer tax or a 0.25% sales tax. Specific points are as follows:

- \* must be completed by voter referendum
- \* no requirements for expenditure or earmark
- \* there is, however, a focus on infrastructure
- \* there is no time limit on the expenditure of funds

Ms. Troutman pointed out that, currently, the land transfer tax options on county ballots have not passed. A combination of both land transfer tax and sales tax have not passed. A sales tax option when presented singularly passed in 5 out of 11 counties. Chair Phillips asked Ms. Troutman if it would be appropriate for Yadkin County to include one or both referendums on the November ballot. Ms. Troutman felt that since November will be a wide spread election and likely to draw more voters, the November election may yield better results.

On a final note, Ms. Troutman reported that a priority for the legislative short session to begin in May is a focus on Senate Bill 1513. Senate Bill 1513 alters the relationship between the state and county regarding transportation and road construction. Counties cannot afford the infrastructure costs of maintaining road systems in addition to the infrastructure needs that already exist. It has been estimated that there would be a \$65 million gap in funding that cannot be borne by the property owners.

[ Ms. Troutman's Presentation is attached as Addendum A]

*Chair Phillips called for a recess at 10:19am. The meeting reconvened at 10:34am.*

## **BOARD ACTION**

(1) Nancy Keith and Ginger McGhee of Cooperative Extension presented a budget amendment of \$74,372. Ms. McGhee explained that the State will be managing all positions in the cooperative resulting in a transfer of this amount from salaries and benefits to state contracted services. No new monies involved.

**Vice Chair Cornelius made a motion to approve the Budget Amendment for Cooperative Extension. Commissioner Wooten second.**

**Vote: 5/0**

[ Budget Amendment for Cooperative Extension is attached as Addendum B]

Chair Phillips asked Director Keith to address vandalism that had taken place over the weekend. Director Keith reported that Yadkinville Police had notified her on Sunday, January 6 of damage to the vehicles of Cooperative Extension

and the Information Technology Department. The Yadkinville Police will investigate.

(2) A budget amendment for EMS was reviewed. The amendment adjusted revenues for grant money received from a Haz Mat Emergency Preparedness Grant.

**Vice Chair Cornelius made a motion to approve the Budget Amendment for EMS. Commissioner Wooten second.**

**Vote: 5/0**

[ Budget Amendment for EMS is attached as Addendum C]

(3) County Manager Williams presented the preliminary findings of Moseley Architects regarding the downtown property as a potential jail site. Those findings are as follows:

- Parking space will be insufficient

- No room for future expansion

- Space will not accommodate building set-backs

- No proper site drainage

According to Moseley Architects, a minimum of 4 to 5 acres is needed in order to stay with the current designs. Hard data may be available at the Jail Committee meeting on January 9.

Commissioner Wooten asked the Board to reevaluate the use of the Hoots Road property as a jail site and consider reserving that property for future economic development.

## **MANAGER REPORTS/COMMENTS**

(1) Manager Williams drew attention to the Monthly Grant Activity Report. He had no new data at this time. Chair Phillips added that the Boonville Volunteer Fire Department had received a grant of \$237,000 for the purchase of a new fire truck.

(2) Manager Williams is reviewing possible dates for training on eCivis. Manager Williams plans to have at least 2 from each department participate in the training. Manager Williams thanked Rebecca Troutman, representing the North Carolina Association of County Commissioners, for their assistance in obtaining discount rates for counties from eCivis.



(3) Manager Williams reported that PARTF funds discussed at prior meetings would not be available in this budget year. The application deadline is January 31 which leaves insufficient time for all the components to be in place. Manager Williams suggests reserving the existing \$50,000 in Recreation Funds as the fund match for an application in the next budget year.

One of the PARTF components is the establishment of a Recreation Commission. Recreation Director, Joe Boyette, reported that a commission did exist up until 1991. Director Boyette recommended the commissioner consist of 4 members in addition to himself. Manager Williams and Director Boyette continue to work on by-laws and Director Boyette has approached certain individuals to serve on this commission.

(4) Manager Williams drew attention to the update on easements for the Courtney-Huntsville Road Waterline Extension. There are 10 outstanding easements. Attorney Graham added that he had received 2 of the 5 outstanding easements on Hoots Road for the sewer line and has recently received the remaining 3 easements on Rocky Branch Road for the sewer line.

(5) Manager Williams reported that the burning ban had been lifted on a state and county basis as of January 2, 2008. It is projected that this is a temporary lift only as this region is still experiencing drought conditions. Households that desire to burn debris should handle this task quickly in the event a burning ban should be reinstated.

In conjunction with the burning ban, Chair Phillips had attended a recent meeting of the district Fire Chiefs and had the following items to report:

- \* Lifting of the burning ban is likely temporary
- \* The area is still under severe drought
- \* Wells will likely begin to fail in February
- \* 60% of all fires in Yadkin County are within 100' of a residence
- \* The County's new Fire Inspector is Travis Williams. He began on December 31, 2007
- \* Individuals can get burning permits on-line

(6) Since the publication of the agenda, Manager Williams had received written confirmation that the Agrarian Growth Designation had been approved. A copy of this confirmation was distributed to each Board member.

[ Agrarian Growth Zone Designation is attached as Addendum D]

(7) Manager Williams reported that he had received information from the DOT about the Hugh Chatham Bridge. Some discussion followed. Board members questioned the Secondary Road Funding and the Joint meeting with DOT. It was determined that the Board meets with DOT every other year. It was noted that Jonesville and Elkin do not agree on the replacement of the old bridge. Commissioner Garner pointed out that if Jonesville and Elkin cannot agree on a bridge, they are unlikely to agree on water issues.

### **CALENDAR NOTES**

Manager Williams reviewed calendar notes, drawing attention to scheduled committee meetings. In addition, Manager Williams would like to schedule an HR Committee Meeting. One item for discussion is the establishment of a "Back to Work" policy for individuals returning to work from a sickness, disability, or workers compensation. A meeting of the Utilities Committee should also be planned. Manager Williams will contact those specific committee members for dates and times.

The Board of Adjustment and the Planning Board will meet on Monday, January 14, 2008. One item for discussion is the re-visit of the Durham zoning issue. Planning and Development Director, Kim Bates reported that Mr. Durham has moved some equipment out of the building that is in zoning violation.

Manager Williams noted that County offices will be closed on Monday, January 21, 2008 for the Martin Luther King, Jr. Holiday. However, the Board of Commissioners meeting will continue as scheduled.

Manager Williams noted the upcoming Annual Meeting of the Chamber of Commerce. Meeting scheduled for January 22, 2008 at the Holiday Inn Express in Jonesville beginning at 6:00. Both Commissioner Wagoner and Commissioner Wooten offer their apologies for not being able to attend.

Manager Williams reminded the Board of the upcoming Local Leaders Academy. Board members are to contact Clerk Brown for reservations and registrations, if interested.

On a side note, Commissioner Wagoner asked Manager Williams if the Hoots Hospital obligation, discussed at the last meeting, was in the current budget. Manager Williams reported that indeed it was.

## **COMMISSIONER COMMENTS**

Vice Chair Cornelius had the following for discussion:

(1) Vice Chair Cornelius was concerned about the inconvenience of household trash disposal for citizens in the Enon and Flint Hill Communities. Vice Chair Cornelius felt that these particular households were being charged a \$60.00 fee for the access and convenience that they are not actually experiencing due to the distance and availability of the nearest site. Vice Chair Cornelius had talked with some residents of the Flint Hill area and has identified a family that may be willing to lease a space for an unmanned trash site. Vice Chair Cornelius is requesting approval from the Board to speak to the family further.

Commissioner Wooten remarked that lease amounts for all trash sites are equal. Further, if an access fee continues to be in place, it is the county's responsibility to make these sites available.

Commissioner Wagoner asked Planning and Development Director Bates if there would be a zoning issue. Off the cuff, Director Bates was not certain if a trash site is an allowable use under current zoning but stated he would review the zoning text.

Chair Phillips suggested that the Solid Waste Committee look at a map of all sites and determine if there are other areas that do not have convenient access to a trash site.

(2) Vice Chair Cornelius reiterated his desire to see a Time Keeping/Time Management System implemented for the County. Vice Chair Cornelius reported that Yadkin County Schools had recently implemented a new Time System and perhaps Manager Williams or IT Director Shugart could contact the Schools' IT Director for information.

Commissioner Garner commented that the Board and/or Utilities Committee need to begin discussing the water hook-up rate, discount periods, and other options. Commissioner Garner remarked that he constantly had questions from citizens in that regard. Commissioner Wooten commented that once the Certificate of Completion had been received, hook-ups could begin. Manager Williams will talk with Jonesville and Yadkinville Townships about current rates and other prudent data prior to the next meeting of the Utilities Committee.

Commissioner Wooten asked Manager Williams when the Board could expect the Audit Findings. Manager Williams reported that the Audit Findings had been approved by the LGC. Edna Shore of the Daniel Professional Group is currently out of town, but perhaps this data will be presented at the next regular meeting.

Commissioner Wagoner had the following item for discussion:

(1) During the holiday, Commissioner Wagoner had the opportunity to visit with a cousin who is a Health Educator in Little Washington, near Beaufort, North Carolina. This cousin had presented him with a CD of a recorded Commissioners Meeting from that county. Commissioner Wagoner is very interested in having the Yadkin County Board of Commissioners meetings recorded and broadcast. Commissioner Wagoner suggested that IT Director, Chris Shugart may have some input on this subject. It was suggested that local cable companies will often offer the air time or devote a station to public works. The Board gave a nod of agreement to pursue this further.

Chair Phillips had the following items for discussion:

(1) Fire Chiefs expressed concerns that they did not always receive consistent information on fire tax values. Chair Phillips suggested that this data be gathered at one time and presented to the Fire Chiefs on a regular basis.

(2) EMS had 4,965 calls in 2007 compared to 1,800 in 1987.

(3) The Burning Ban has been temporarily lifted but is expected to be reinstated as the drought continues.

(4) Dr. Debra Friedman replaced Dr. Frank Sells as the President of Surry Community College.

(5) The E911 Mapping project is almost complete. Yadkin County has an issue with unmarked or improperly marked residences from an emergency standpoint. There are many residences still lacking visible house numbers. Manager Williams will plan to discuss this with Fire Marshal Weatherman and Tax Administrator Adams to identify solutions.

(6) Forbush Volunteer Fire Department and Boonville Volunteer Fire Department will be adding a paid staff person for daytime hours.

**Vice Chair Cornelius made a motion to enter Closed Session to consult with County Attorney Graham. Commissioner Wooten second.**

**Vote: 5/0**

**Vice Chair Cornelius made a motion to end Closed Session. Commissioner Garner second.**

**Vote: 5/0**

**Vice Chair Cornelius made a motion to adjourn. Commissioner Garner second.**

**Vote: 5/0**

Meeting adjourned at 12:04pm.

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Prepared and Approved by Clerk to the Board